EXECUTIVE SECRETARIAT
Routing Slip

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1	DCI				
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5	DDI		✓		
6	DDA				
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9	Chm/NIC				
10	GC				
11	IG				
12	Compt				
13	D/EEO				
14	D/Pers				
15	D/OEA				
16	C/PAD/OEA				
17	SA/IA		✓		
18	AO/DCI				
19	C/IPD/OIS				
20	C/TTIC	✓			
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Executive Secretary
12/27/88
Date

3-37 (10-81)

THE WHITE HOUSE

WASHINGTON

December 23, 1982

MEMORANDUM FOR THE VICE PRESIDENT

THE SECRETARY OF STATE

THE SECRETARY OF THE TREASURY

THE SECRETARY OF DEFENSE

THE ATTORNEY GENERAL

THE SECRETARY OF COMMERCE

THE SECRETARY OF HEALTH AND HUMAN SERVICES

THE SECRETARY OF ENERGY

THE COUNSELLOR TO THE PRESIDENT

THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

THE DIRECTOR OF CENTRAL INTELLIGENCE

THE DIRECTOR, OFFICE OF SCIENCE AND TECHNOLOGY POLICY

THE ADMINISTRATOR, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

THE ADMINISTRATOR, GENERAL SERVICES ADMINISTRATION

THE DIRECTOR, NATIONAL SCIENCE FOUNDATION

SUBJECT: NSSD
Scientific Communication and National Security

The President has directed a review of scientific communication and the protection of national security information. The purpose of this review is to follow up on the Report of the National Academy of Sciences' Panel on Scientific Communication and National Security (the Corson Panel) completed on September 30, 1982.

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NSSD #14
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While advocating a primary strategy of "security by accomplishment," the NAS Report acknowledges that certain kinds of scientific information require protection in the interest of national security. For some research, the Report concludes that classification is appropriate. For other research in certain "gray areas" it recommends different, less restrictive, forms of control, based on carefully defined contractual limitations; it also asserts that export controls are neither an effective nor appropriate means of restricting the flow of scientific information produced in academic institutions. The Report also proposes guidelines for protection of sensitive scientific research information in these "gray areas" and makes recommendations for government action on a number of related issues.

The Report's issuance provides the government a valuable opportunity to clarify its policies in an area that has been a source of concern and uncertainty in the academic community. By laying the groundwork for an improved public understanding of the legitimate requirements of national security and scientific research, it should help the government accomplish this task expeditiously and in proper perspective.

The President has asked that the Office of Science and Technology Policy take the lead in reviewing the Corson Panel Report. Ronald B. Frankum, Deputy Science Advisor to the President, will chair the interagency group commissioned in the attached NSSD.

This review should result in a draft National Security Decision Directive, for review by the National Security Council no later than March 1, 1983.

FOR THE PRESIDENT:

William P. Clark

Attachment
NSSD 14-82

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THE WHITE HOUSE

WASHINGTON

NATIONAL SECURITY STUDY DIRECTIVE NUMBER 14-82

December 23, 1982

SCIENTIFIC COMMUNICATION AND NATIONAL SECURITY

Introduction

This National Security Study Directive establishes the Terms of Reference for a review of scientific communication and the protection of national security information.

Objective of Review

To produce a National Security Decision Directive (NSDD), Subject: Policy For Protection of Sensitive, but Unclassified, Scientific Information.

Scope

The interagency group established below will review the issue of protecting sensitive, but unclassified scientific research information, taking into account the recommendations made by the National Academy of Sciences' Panel on Scientific Communication and National Security (the Corson Panel) in its September 30, 1982 Report. The review will result in a report on the following issues raised by the Corson Panel's Report:

-- Identification of Sensitive Scientific Information. How can the government improve the manner in which it determines what unclassified, non-proprietary scientific research information should be subject to control so as to focus its efforts efficiently and to avoid raising fears of intrusion within the scientific research community?

-- Export Controls. What changes, if any, are required to ensure that: (1) implementation of export control regulations does not interfere with the legitimate communication of scientific research information, and (2) the burden of compliance on the scientific community is reasonable and acceptable?

-- Contractual Controls. When there is Federal funding of scientific research, information which has important near-term national security implications but not requiring classification can be controlled by written restrictions in the funding instrument. If such contractual restrictions are appropriate, can they replace other forms of control for

all Federally-funded scientific research? Additionally, what general guidelines or appeals mechanisms are needed to assure that: (1) the restrictions are appropriate, and (2) government agencies impose procedurally and substantively compatible restrictions on the research community?

-- Visa Controls. The use of visa restrictions and denials to prevent undesired technology loss from scientific research institutions is another possible approach. Should the visa authority be used more extensively for this purpose than at present? If so, what criteria would be appropriate and what changes in current procedures would be required?

-- Dialogue with Scientific Community. Whatever controls are implemented, it is important for the government and the scientific community to understand more fully each other's concerns. What specific steps should be taken and what new mechanisms, if any, should be put into place to facilitate this dialogue? What form of public participation, if any, would be appropriate before implementation of any recommendations concerning the above questions? In what ways can the government best avail itself on a continuing basis of the scientific community's special expertise in the evaluation and implementation of restrictions on the communication of scientific information?

The group should take special care to weigh the anticipated benefits of any restrictions against the costs of slowing scientific and technical progress, of which open scientific communication is an essential component. Therefore, in considering the above questions, the following concerns should also be addressed:

-- In view of the unique educational mission of the Nation's academic institutions and their role in the advancement and dissemination of knowledge, are there types of government restrictions on the dissemination of information resulting from academic research that are less appropriate than others?

-- What should be the government's policy with regard to information presented at open scientific meetings, and what procedures can be developed to ensure consistent implementation of that policy?

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Administration

This study should be conducted by an interagency group chaired by the Office of Science and Technology Policy and including the Departments of State, Treasury, Defense, Justice, Commerce, Health and Human Services, Energy, the National Security Council staff, the Director of Central Intelligence, the Office of Management and Budget, the National Science Foundation, the National Aeronautics and Space Administration, and the General Services Administration. The scheduling and management of the Study is the responsibility of the Office of Science and Technology Policy.

A report for consideration by the National Security Council should be prepared no later than March 1, 1983.

Ronald Reagan

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